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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/572,526

03/21/2006

Ho-Sung Ahn

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FILDES & OUTLAND, P.C.
20916 MACK AVENUE, SUITE 2
GROSSE POINTE WOODS, MI 48236

EXAMINER

BRITTAIN, JAMES R

ART UNIT

PAPER NUMBER

3677

MAIL DATE

DELIVERY MODE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/572,526	Applicant(s) AHN, HO-SUNG	
	Examiner JAMES R. BRITAIN	Art Unit 3677	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-15 and 17-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-15 and 17-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 March 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 3, 4, 9, 10, 12-15 and 17-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Van Erden (US 4923701) in view of Staller (US 3440696).

Van Erden (figure 3) teaches a fastening device with fasteners to close an open end, comprising: a first fastener provided on one of opposite surfaces of the open end and comprising at least a pair of rib tracks and a groove track defined between the rib tracks; a second fastener provided on a remaining surface of the opposite surfaces of the open end and comprising at least a pair of rib tracks and a groove track defined between the rib tracks, so that at least one rib track of one of the first and second fasteners engages with a groove track of another of the first and second fasteners; and an adhesive agent 23, having a predetermined adhesive strength, on a bottom surface of the groove track of each of the first and second fasteners wherein the bottom surface is curved and therefore uneven. It isn't explicitly shown that the adhesive is applied to a bottom surface of the track. However, Van Erden explicitly refers to Staller in col. 3, line 15 as a desirable technique of application insofar as the use of sprayers to apply the material, in Staller a soft material and clearly for Van Erden's purposes the sprayers 118, 119 would be used for adhesive material. Staller (figures 1 and 9) teaches the use of sprayers 118, 119 to apply material to a bottom surface of the grooves to provide a seal and clearly Van Erden will use such a

technique to apply the adhesive 23. Therefore, it would have been obvious to apply the adhesive to a bottom surface of the grooves in view of the teachings of Van Erden and Staller.

Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Van Erden (US 4923701) in view of Staller (US 3440696) as applied to claim 1 above, and further in view of Kourtidis et al. (US 6393673).

Further modification of the fastener of Van Erden such that the rib tracks and groove tracks each have a trapezoidal cross-section (claim 11) would have been obvious in view of Kourtidis et al. (figure 2) in which the grooves are trapezoidal to receive the trapezoidal stems.

Claims 5, 6 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Van Erden (US 4923701) in view of Staller (US 3440696) as applied to claim 1 above, and further in view of Offa-Jones (US 2002/0162200).

Further modification of the fastener of Van Erden, who teaches fusion bonding of the fastener strips (col. 2, lines 44-50), such that welding via welding assistant blades is used would have been obvious in view of Offa-Jones (figure), who teaches the use of welding blades 30, 32 are used for better securement.

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Van Erden (US 4923701) in view of Staller (US 3440696) and Offa-Jones (US 2002/0162200) as applied to claim 6 above, and further in view of Tomic et al. (US 5655273).

Further modification of the securement via welding blades as taught by Offa-Jones such that there is a supporting ridge therebetween would have been obvious in view of Tomic et al. (figures 8, 9) teaching the placement of a supporting ridge between the sealing blades 60.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The patent of Van Erden (US 4947525) teaches pertinent fastener structure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAMES R. BRITTAIN whose telephone number is (571)272-7065. The examiner can normally be reached on M-F 5:30-2:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Victor Batson can be reached on (571) 272-6987. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/James R. Brittain/
Primary Examiner, Art Unit 3677

JRB